



December 14, 2010

Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

Attn: Chairman Julius Genachowski
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioners Meredith Attwell Baker

Re: Preserving the Open Internet, GN Docket No. 09-191
Broadband Industry Practices, WC Docket No. 07-52

Dear Chairman Genachowski and Commissioners:

We implore you to create strong Open Internet rules to protect the Internet as a vital economic engine. We are individual entrepreneurs, small businesses, and entertainment companies involved in the rapidly growing field of online video. Each and every one of us relies upon a level playing field to build our audiences and our companies. Our industry has experienced explosive growth in recent years with more to come, but it would be irreparably harmed if Internet Service Providers (ISPs) were given the power to discriminate against our offerings. Here's why:

The Internet is the greatest innovation in opportunity the United States has ever invented. It has revived the concept of Main Street with its mix of independent and small business owners who have the opportunity of making something happen for themselves for reasonable start-up costs. Our online video industry, made possible by this, is similar to the early days of film and television entertainment, where anyone who has creative talent and some capital has the opportunity to make their dreams come true.

Without strong Open Internet rules, ISPs will be able to insert themselves between us and our viewers, which some ISPs view as competing with their own subscription video offerings. Without Open Internet rules they will possess the ability to make certain content less attractive to viewers by possibly degrading its quality and/or imposing additional fees for the bandwidth needed to access it. Essentially they will have been given the power to become gatekeepers who can price the independent and small business content creators out of the market, which is not in line with a free-market system.

The Internet currently provides equal opportunity for all players and has the ability to perpetuate the innovative, free-market the United States upholds as a cornerstone of democracy. This is because the consumer is empowered by choice and can access everything equally. When choice is encouraged and cultured then more businesses are created and when more businesses are created then more jobs are created, which is why protecting the Internet as an economic engine has never been more important.

Therefore, we ask to protect the Internet by insisting on the following protections:

Rules Must Apply to the Internet, No Matter How it is Accessed. Our viewers increasingly watch our content on the go over wireless networks on their mobile devices. Going forward, we expect that even more viewing will switch to mobile devices. Simply stated, any rule that does not protect consumers' ability to freely access

the video of their choice will be incomplete. Viewers must be able to access our offerings however they choose, over whichever type of connection they prefer, be it wired or wireless.

There Must be a Presumption Against Paid Prioritization. There is nothing neutral about paid prioritization. It creates an additional barrier between us and our viewers controlled by ISPs. With paid prioritization, ISPs will be free to favor their own content over our non-affiliated content and make it harder for our viewers to access our offerings. Also, paid prioritization only works if paid prioritization is superior to standard connectivity. That gives ISPs an incentive to degrade standard connectivity in order to push content owners towards their “fast lanes.”

Usage Based Pricing Creates a Disincentive to Try New Things. Today, it does not cost a viewer anything extra to watch a new show, or check out a new clip. Usage based pricing, which puts a meter on the Internet, changes that. Users will think twice before watching a video from an unknown source. This makes it harder for new companies to get started.

Broadband Must be an Inclusive Term. The definition of ‘broadband access’ provider must protect users and innovators, not create loopholes for ISPs. If ISPs are allowed to compete with online video through their own special non-Internet channels, they will be free to leave the open Internet behind. Especially when combined with usage based pricing, creating special non-Internet delivery channels could allow ISPs to impose huge costs on viewing any video not provided by them.

We know you share our commitment to protecting the Internet’s ability to create and foster new businesses. Strong, inclusive Net Neutrality rules are crucial to this goal. If ISPs are allowed to abuse their position and discriminate (directly or indirectly) against our content, it will destroy our industry just as it is starting to bloom.

Respectfully,

The following members of the International Academy of Web Television who have signed their support for this letter to the Federal Communications Commission:

Aaron Matthew Kaiser	David Nett	Justin Day	Scott Susskind
Adam A. Lohnes	David Ripert	Justin Johnson	Shane Clark
Adam Quirk	Derek Housman	Justine Bateman	Stefan Gieren
Adrian Van Drunen	Elisabeth A. Flack	Kai Hasson	Steven Swimmer
Alec McNayr	Emmett Furey	Linda Nicolai	Susan Bernhardt
Allison Vanore	Eric Day	Marc Hustvedt	Tara de Bach
Amber J Lawson	Felicia Day	Maria Gonima	Theodore Ott
Andrew Bentler	Geoff Katz	Mark Cabaroy	Tim Street
Angela Espinosa	Hayden Black	Mark Gantt	Timothy Kress-Spatz
Annunziata Gianzero	J. Sibley Law	Mark Gardner	Tina Cesa Ward
April Grant	James Cohen	Matthew H. Meeks	Tony Janning
Aymar Jean Christian	James Fernandez	Michael Field	Vanessa Pappas
Barrett Garese	James Haffner	Michelle DeForest	Vera VanGuard
Brady Brim-DeForest	Jason Haikara	Pamela Kulik	Wendy Rosoff
Brett Register	Jay Smooth	Rick Rey	
Brian Amyot	JD Piche	Rob Gokee	
Brian Lerner	Jeff Koenig	Rob Millis	
Brian Rodda	Jeff Macpherson	Robert Ward	
Chris McCaleb	Jenni Powell	Russ Pitts	
Chris Pfaff	Jeremy Redleaf	Ryan Copple	
Chris Prine	Jesse Warren	Ryan McDonald	
Daniel Loyd	John McCarus	Sandeep Parikh	
David Dang	Joshua Kinberg	Sandra Payne	